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IS THE UNITED STATES A WORLD POWER?

BY IGNOTUS.

THE San Francisco incident is a capital illustration of the justness of the assertion that the United States is a "World Power," and thus entitled to sit at the international table where the interesting, the fruitful and, sometimes, the dangerous game of diplomacy is played. Once more, but this time most curiously and even searchingly, the Powers that are able to redeem their pledges, or that may be compelled to redeem them, are studying this conglomerate of sovereignties that insists upon calling itself sovereign.

What are the admitted facts, so far as they bear upon the question to which our curiosity, and indeed our interests, seek an answer? These facts do not necessarily include all which go to the merits of the controversy which Japan has raised with the United States, and in which there may, or may not, be an injection of malice, a touch of Oriental cunning, a wicked desire to claim what would not be allowed at The Hague, but which might be enforced on a field where Japan has recently met with a success of the splendor and completeness of which the Oriental Island Empire and her people are justly proud. But we are not now concerned with the motives of Japan, nor even, in essence, with the alleged treaty obligation, nor with the Japanese claim as a claim, but simply and solely with the question of the power of the United States, a question that has been made pertinent by this incident. What, then, are the admitted and the pertinent facts?

In a brief special despatch from Tokio which was printed in the New York *Sun* of October 21st, we read of an intense excitement in Japan which was said to be due to the "exclusion of Japanese children from the public schools of California, John

D. Rockefeller's utterances on Japan's commercial treachery, and Congressman Kahn's bellicose threats coupled with the declaration that Japan is unprepared for a fight." There was so much that was grotesque in these asserted causes of international wrath that the despatch was properly presented in an inconspicuous column and in a subordinate place in that column. But on the following day there was published another despatch from Tokio; and this time it became evident that the Japanese mind, or at least the Japanese newspaper mind, was excited by reason of the alleged "exclusion of Japanese children from the public schools of California." The other causes were dropped. It was now stated that the Japanese Government considered the "situation as extremely dangerous." The Japanese Government sought, indirectly, of course, and through the agency of its press, to put itself in an intelligent, and, therefore, the right position for the contest, diplomatic or other, which might be coming on. It admitted that the trouble was purely local, but began to intimate that niceties of distinction between the National and State Governments of the United States would not be patiently listened to, or even understood, by the people with whom the Government had to reckon. Thus early the suggestion was thrown out, unofficially, that the United States would do well to repudiate the anti-Japanese sentiment which had so roused the wrath of the "child-loving nation."

It turned out that this sentiment was even more local than had been asserted in these Tokio despatches. The action complained of was really that of the San Francisco Board of Education and not that of the State of California, and the Board had not excluded Japanese from the schools, but had directed that they and all other Oriental children be taught, not with white children, but in separate schools. So the excitement in Japan was due to the action of a city, and not of one of those greater divisions which citizens of older World Powers may regard as United States counties.

So far we had no official assertion or representation by Japan. Nevertheless, the Government of the United States became strangely disturbed. It may be pardonable to observe that its activity was of that kind which is indulged in by both Governments and persons who realize their powerlessness to meet a possible situation which they dread or foresee. The despatches from

Washington informed us, "with much emphasis," that "the members of the Federal Administration, from the President down, have no sympathy whatever with the discrimination against the Japanese, or the attempts to stir up opposition to them." These official gentlemen were said to be of the solemn opinion that the agitation was "ill advised." The fear was expressed, still in official circles, be it understood, that Congress would enact a law "placing the Japanese upon the same basis as Chinese who desire to enter the country." What could this mean? Those who perform the public tasks of the ancient "World Powers" could understand how a cynical great nation might take away by legislation the rights of unresisting Chinese, but is there any Power in the world which would undertake so to deal with Japan—Japan, fresh from its triumph over Russia; Japan, whose mighty navy is so near to the undefended Asiatic frontier of the United States? Although the international law which the United States professes is very different from that which is practised by the older nations of Europe and Asia, no one who had long sat at the international table could believe her capable of such a folly.

And yet the Washington despatches asserted that there might be passed an exclusion law which would deprive Japanese of treaty rights, and that President Roosevelt could interpose nothing but his veto. What an incredible assertion! A statute can repeal a treaty! The legislature of a "World Power" can break the solemn international engagement entered into by the authority whose duty it is to speak for the nation in its dealings with other nations! How can the Powers which are able to keep their promises, to pay their stakes, regard with equanimity the entrance into the game of one that may slip under the table the moment he is called upon to pay his losses?

But let us proceed with the examination of the perturbation of the United States Government when it heard that the Government of Japan was concerned by the excitement of its people, and that it was manifesting that calm politeness which, when shown by a self-respecting man or Government, so often denotes alarming readiness for a fight rather than eagerness for peace. Instead of exhibiting an amiable haste to avoid real trouble, a haste which would have indicated that diplomatic errors would not be permitted to bring on war, since there could be no dispo-

sition anywhere to take advantage of such errors, the Japanese Government seemed to seasoned diplomats to be carefully establishing proof that no display of ill-temper by itself had precipitated a conflict. On the other hand, it seemed to the same observers, cynical and unfriendly, if you will, but almost brutally impartial in discussing the troubles of others, as if the Government of the United States was so irrationally nervous that it was clearly attempting to avoid an awkward situation over which it would have no control, but for which it might be held wholly responsible. Indeed, it was stated that the Administration "finds itself powerless to prevent misunderstanding in the present crisis in its relations with Japan." Veiled threats came to it from persons in "high position" in Japan. A Japanese boycott of American goods, more serious than that of the Chinese merchants, was suggested. An attempt was made to arouse the fears of the Eastern part of the United States for the ill results that might come to it on account of the manifestations of harshness and animosity against the Japanese by the people of the Pacific coast. Seemingly inspired despatches from Washington pleaded with Japan to remember the friendly sentiments of the United States for Japan in its war with Russia, and American services to prevent the partition of China among the Powers of Europe. It was a sad spectacle for the friends of the United States, that of this new-born "World Power" begging Japan to be kind; for this sort of thing is only resorted to *in extremis*. It is still the barbarian habit of the Powers to forget all friendships, and ignore the finer sentiments when these stand in the way of their designs, which, it may be admitted, are often far from righteous.

On the 24th, Washington found a grain of comfort in the fact that Japan had made no official representation, had as yet taken no official notice of the wrong done to her "little children." This was thought to be evidence that the Tokio Government understood the situation, realized that the United States was powerless to redress wrongs inflicted upon foreigners by a State, or by any inferior county, or by a city, while it was hoped that it also indicated that Japan would not exact the utmost, would not expose the frailty of her neighbor in the East, or take advantage of the "World Power" which was the easiest of all prey to the Japanese navy and army.

The next fact in the procession of events brought deep disap-

pointment to Washington. Japan took official notice of the San Francisco affair. To this time it had not appeared that Japan claimed that her treaty rights had been violated. The excitement of her people was apparently caused by the unfriendliness of the act of the San Francisco Board of Education. No legal obligation had been denied by the United States or by any part thereof. But, while this unfriendliness was an expression of race dislike, and might not break the law of nations, unlike the Chinese boycott it was a political act and the offenders constituted a political, or governing, body. Now, on the 25th of October, the Secretary of Foreign Affairs, Mr. Root, learned from the Viscount Aoki, the Japanese Ambassador, that his Government asserted that the "treaty rights of the Japanese in the United States had been infringed upon."

For the purposes of this exposition of the *affaire* San Francisco, as it has come to be called in the chancelleries, we must confine ourselves to the admission by the authorities of the United States that the Japanese Ambassador's representation was well founded, and that the children of Japanese in this country had the right by treaty with the United States to attend not only the public schools of the country, but the same schools as were attended by the children of native Americans; that the United States had agreed with Japan that there should be no discrimination in this respect either for or against the Japanese. Even if there were no such treaty right, it was clear that the Government of the United States did not care to discuss the question, or claim the advantage of a misplay. It seemed simply intent on assuring the Japanese Government that it regretted the incident; that it had no power to change or annul the order of the San Francisco school authorities; but that it would exert its influence, possibly sufficient, to secure from San Francisco action that would satisfy, perhaps gratify, the Government at Tokio and its people. We are not, however, dealing with the treaty of 1894. We are content to accept the views reputed to be held by both Governments and seemingly shared by the press of the United States, and by the Governments and press of Great Britain and of France. Moreover, according to a San Francisco despatch of the 26th of October, a United States judge issued an order directed to the Board of Education of San Francisco. This order was based on the theory that the exclusion of Japanese pupils

from the public schools was "in violation of the Constitution of the United States and also in violation of a treaty now existing between the United States and the Empire of Japan." We are dealing with the situation made by the general admission that Japanese children were possessed of the right to attend the public schools of California; that this right had been granted by the United States in a treaty the provisions of which gave to the United States consideration for its promise in the form of engagements on the part of Japan to grant what were regarded as reciprocal privileges to the people of this country; and that this treaty had been violated in the manner already indicated by a political body performing tasks of government in the United States.

Such was the situation as it appeared to those sitting around the international table on the 26th of October, after they had read of their colleague Aoki's representation to the American Secretary of Foreign Affairs. They looked, then, at their fellow "World Power" to see what it would do.

It is but simple justice to Mr. Root to say that he evinced his consciousness of the perplexity and awkwardness of the American situation by expressions of the deepest concern. Aoki told him that he and his Government understood—to use an expression which to a federal republican may seem harsh, but which to a monarchist must be true—the imbecility to which the Washington Government was reduced by its constitutional law. The Japanese Government understood that the affair was local, but the "people at home would misunderstand the situation." A feeble effort was made to complicate the question by allusions to the invasion of a seal-rookery by Japanese fishermen in violation of American treaty rights, but the allusion was not noticed, because Japan had no idea of permitting a diversion of attention from a situation in which, as Mr. Root himself recognized, she held the commanding position. Mr. Root finally determined that "something must be done," and the foreign observers expected that the United States would at once take steps to carry out its admitted promises, and to teach the intrusive local authorities their proper place in the government of the nation.

What was their surprise, however, to read, in a striking headline on the morning of the 27th: "Roosevelt acts for Japan. Moves to Protect Her Treaty Rights in California." Here was,

indeed, an astonishing assertion. The President of the United States was going to protect Japan against the assaults upon its own law by a public body of the United States. It would be his duty, of course, so to protect Japan from the breaking of the promises of his own Government, but how was he to set about it? Would he order the local authority to rescind its illegal action? Its order was illegal according to the admitted treaty rights and obligations of the two countries. A treaty is a law. In the United States it is made by the Constitution the supreme law of the land. In any country a treaty is a law and affects the relations of its citizens to foreigners and to its own Government, which is charged with the duty of enforcing the law. If the Japanese children had by treaty the right to attend the public schools, the action of the Board of Education of San Francisco was illegal; it was a violation of the law of the United States; it was, therefore, as it was performed wilfully, consciously, with intent to act in opposition to the treaty of the United States, a defiance of the Washington Government. How would the President act? How would he proceed to protect the other party to the international compact from this violation of the provisions of law which he must execute? Any of the really strong Governments which, to use an Americanism of the part of the country with which the President is supposed to be most familiar, were "sitting in the game," would have taken summary and effective action. They are not only "World Powers," but they possess and habitually exercise power over their domestic affairs. No subordinate division of any such Power would dream of infringing a law or a treaty of the general Government unless it were ready to resort to rebellion, and to an ultimate test of strength. But what did the President of the new "World Power" do in order that its promise to another Power might not be shattered by a local school board? Did he issue an order to the offenders? No; he acted for Japan by directing Secretary Metcalf, report says because he is a Californian, to go to San Francisco and to try to persuade the local authorities to rescind their action and to obey the law of the United States. It was stated in a Washington despatch that the "President wants mainly to emphasize that his interest in the situation is great enough to justify sending one of his own Cabinet to the scene." This is an extraordinary statement. The ruler of any other Power would have had

sufficient interest in any attempt by one of his local authorities to break one of his treaty promises to go himself to the scene, and, if necessary, to take force with him. But, after all, it is quite impossible to imagine such a situation in any Power whose treaties are effective, in whose central authority alone lies the power of keeping, or of breaking, international agreements. It would be strange, indeed, if the President were not interested in a situation the ultimate terms of which may be expressed by armies and navies. What is strange is that he should consider it worth while to express an interest. Such an expression naturally raises a doubt as to his ability to make his interest effective. This doubt was emphasized by the statement that Secretary Metcalf was "directed to confer with the Governor, the acting Mayor of San Francisco, the Japanese Consul, the school authorities and all others who might be able to throw light on the anti-Japanese situation and report to the President the exact conditions and the basis of the sentiment which served to bring about the discrimination against Japanese subjects."

This ambassador of the President accredited to the local authorities of San Francisco was to warn these recreant public servants that their conduct was likely to disturb the friendly relations of the United States and Japan, and to "endanger the commercial interests of the United States, not only in Japan but in China and elsewhere in the Far East." Secretary Metcalf was diplomatically to make the San - Franciscans realize the danger which lurked "in giving offence to Japan, and also the moral obligation which rests upon the Federal Government and its citizens to respect the treaty rights of the Japanese, who are assured of freedom from discrimination while residing within the borders of the country."

The Government which feels obliged to confine itself to persuasion, to exerting its influence, to appeals to its citizens, especially its official citizens, to be law-abiding, instead of compelling obedience to its laws, is a comical kind of "World Power." It may be that this Government may be able to raise troops and money; it may, according to the once-popular English Jingo tune, have the ships, the men and the money too, but, if it be a real "World Power," it ought to be able to prevent a war as well as to fight one when it can no longer be prevented. It ought to be able to prevent any of its citizens, certainly, from giving

cause for war by violating the treaty rights, or the rights recognized by international law, of a foreign people, or to punish those who do offend to the satisfaction of the offended state. It ought to be able to do this by its courts, or, if necessary, by its force. Its assertion that it is a "World Power" is ridiculous if it cannot act directly and immediately upon the sinning citizens, official or other. If it cannot compel all who dwell within its borders to keep the law embodied in one of its treaties, it is certainly a strange and unsafe partner in the international game. What Power would make an alliance with it for mutual aid in time of war, if an irresponsible School Board, or County Board, or State government, or a still more irresponsible mob, might precipitate a conflict of arms against the tearful pleadings of the Federal Government? It has been observed, by the way, by foreigners who also are studying the phenomena of government, that it is, say, temperamental in American publicists to speak of the central power as federal when a national obligation is to be avoided, and to emphasize its national character whenever its power is to be proclaimed. In the *affaire* San Francisco we hear exclusively of the Federal Government.

The President sent Secretary Metcalf to beg citizens of the United States, citizens holding public office, not to endanger the peace and commerce of the country by breaking its treaty. The head-lines quoted above assert that the President intended to protect the treaty rights of Japan, but how much more is it necessary for the United States to protect its own honor, its own promises, against the assaults of its own people? Can any nation be a "World Power" that is not a power at home? The real "World Power" does not, hat in hand, beg its citizens to refrain from plunging it into war by doing wrong to its treaty obligations. A real "World Power" would sternly and effectively prevent or punish defiant citizens. To beg its citizens to observe the law is comic, and, in the case of the United States, whom the Old World loves, is sad.

And yet Secretary Metcalf goes to beg the San-Franciscans to be good and law-abiding, to appeal to their better nature by reminding them that "Japan, through the Red Cross, sent more than \$100,000 for the relief of San Francisco's earthquake and fire sufferers." To add to the fun of the comedy, it was announced on the 2nd of November that Attorney-General Moody

had instructed the United States District Attorney in San Francisco to aid, by his advice, perhaps by his presence, the counsel of the Japanese who were to seek, in a court of the United States, an injunction to restrain the local school board from denying to Japanese their treaty rights. Think of it! A "World Power" was ready to help the counsel of foreigners to enforce the "World Power's" law in the "World Power's" own courts. How full of laughter are the cynical onlookers who are familiar with proclamations, naval reviews, after-dinner speeches and editorials!

As one reads the history of the United States in the later years of the eighteenth century, one who has been taught in the school of nations that have long been able to do business with other nations—implying the power to observe their compacts—one wonders that even the mutual jealousies of the colonies could evolve so impotent an instrument of government as the Confederation. Speaking of its treaty-breaking function, an Englishman, the most recent, and perhaps most brilliant, of the many essayists on Alexander Hamilton, says that Congress "made alliances which could and would have been disowned by any State had it discovered a private advantage in the disavowals. When Congress finally came to make peace, the terms which it had agreed to were ignored and repudiated. In the harlequinade of human affairs, no pantaloon ever exercised less discipline and authority." The Constitution was framed in the hope of correcting this feebleness which made of the Confederation a despised bankrupt with which no nation would make a contract, for it was not possessed of power to keep its promise. Has this weakness indeed been corrected? No power in this country but the Federal Government can now make a treaty. No State can enter into a compact with a foreign Power. It is true that the keeping of treaties by the General Government is an invariable virtue, and, therefore, treaties are made with it; but it is also true that if the people of a locality, or the government of a locality, violate the treaty rights of others, the United States Government cannot force obedience to its law, a treaty, nor punish for violation of it. This was revealed in its controversy with Italy which grew out of the murder of Italian subjects in New Orleans. That case differs from the present one because the breach of the treaty rights of the Italians was committed by a mob, whose criminal members the General Government, accord-

ing to its own assertions, could not punish. In this instance, the breach of Japanese rights was that of a public official body, whose vicious order the United States cannot annul. Japan, it may be said, should have recalled the Italian incident; and so official Japan does, but the Japanese people know nothing of the constitutional knots which prevent the United States from keeping promises that are distasteful to any section of its citizens, and its voters. They know that their "dear children" have been excluded from schools, and, to them, the United States Government is responsible. Let us suppose a reversal of conditions. If a province of Japan, Sakiado, for instance, should deny to an American citizen his commercial or personal rights, would the people of this country be satisfied with the explanation of its refusing to satisfy the demand of Washington that the Emperor's Government could not redress the grievance of the American citizen because the Emperor had no jurisdiction over Sakiado, could not compel its people, or its local authorities, to observe Japanese treaty obligations? We know not, unless the Washington Government fears Japan. Sometimes a quarrelsome lad hesitates, and finally refrains from going to extremes. The result of a measurement of the other lad's muscles, sinews and spirit, leads him to think well of peace, perhaps of arbitration. The so-called Great Powers are often like boys. A nation, "World Power" or other, does not make war if it believes that it will be conquered. This would be an impolite observation if he who uttered it had the United States in mind. It is not long since Japan was weak, and the Great Powers were quick to recognize that weakness. An interesting Japanese addressed a letter to the *New York Sun* which was published on the 31st of October. This letter referred to some historic cases similar to that which has been here imagined. From them we see how quick England and America were to respond with arms to the assertion that the Central Government of Japan was unable to compel a province of the nation to redress the grievance of a foreigner, which, the foreigner conceived, was the result of a violation of a national obligation. The first instance, widely known and remembered, was the murder of an English subject who had unwittingly, but sacrilegiously, crossed the processional train of the Daimio of Satsuma. In response to the representations of the British Government, the Shogun's Government stated that it had no power to

compel the Daimio to redress the grievance. Whereupon a British battle-ship was sent to the Daimio's province, and he was compelled to pay money for the satisfaction of the wrong done to the Englishman. The other incident is the firing upon an American war-ship as she passed through the Strait of Shimonoseki. To the polite American admiral who invited the attention of the Shogun's Government to the unfortunate incident, there came the same reply as that which was made to Great Britain in the other affair. Again the irresponsible Daimio, being behind Shogunate irresponsibility, was compelled, by the presence of a combined European and American fleet, to pay money for the exercise in which his gunners had indulged. The third instance is that in which Japan, dealing now with a weaker Power, brought to repentance and humility the Chinese Government which declined responsibility for the outrageous and murderous conduct of some unruly Formosans. The Japanese writer pertinently says:

"The three incidents cited above may prove how disastrous it is for a central government of a country to be unable to control a local government. In the case of the Shogunate government, it was overthrown in a few years after it had proved to be powerless over the local daimiate governments. In the case of the central Chinese Government it had to give an indemnity and a humiliating pledge."

There seems to be a lesson for the new "World Power" in these incidents, and it is a lesson which may fall upon ears not unheeding. Certainly, there ought to be no strutting—perhaps it may be permissible to say, no further strutting—as a "World Power" by a Central Government whose commerce, whose peace, whose law, whose honor are at the mercy of any mob, or of any local authority, which sees fit not only to entertain, but to put in practice, a race prejudice, by violation of the treaty rights of the race that is despised, or whose members are competing with voting labor-unionists. The drum-major of the band is not a fighting unit; he is the swollen and decorated figure of an unserious moment. The nation that takes a seat at the international table may speak of its prowess of the future, if it be so inclined; but it must not only play its cards and pocket its gains; it must be prepared to pay its losses or stand the consequences. A "World Power" that cannot control or account for a mob, or a School Board; that cannot execute its laws or keep its promises,

but must beg to be obeyed! Is this to be the end of the *affaire* San Francisco, as it was of the *affaire* New Orleans?

Is the great Republic once more to pay to a foreign Power a fine imposed upon it for its incompetency to deal with its own citizens who break its treaty pledges? And, if it once more submits to do so, ought it not to reconsider its self-complacent announcement that it is now a "World Power"? Can a nation rise to the proud height of a "World Power" by victory over a decrepit government; and can it retain its lofty seat after it has admitted that it cannot compel the School Board of one of its cities to obey its law?

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